

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: AUGUST 19, 2009****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SDR-34450 – ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 521 SOUTH THIRD, LLC – Appeal filed from the denial by the Planning Commission of a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-23906) FOR A 34-FOOT HIGH, 5,705 SQUARE-FOOT OFFICE BUILDING WITH THREE PARKING SPACES on 0.16 acres at 521 South 3rd Street (APN 139-34-311-092), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal Letter filed by SCA Design
7. Protest/Support Postcards
8. Submitted after Meeting – Recordation Notice of Council Action and Conditions of Approval
9. Backup referenced from the June 25, 2009 Planning Commission Meeting Item 25

Motion made by GARY REESE to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-OSCAR B. GOODMAN); (Did Not Vote-None); (Excused-None)

NOTE: MAYOR GOODMAN disclosed that since he and MR. MARTY KEACH, joint owner and occupant of the subject property, are co-owners of a piece of property in Mesquite, Nevada, he would abstain from voting on this matter.

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Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

ROBERT MURDOCK, 520 South 4th Street, was present and explained that although the building is large, it only has three occupants. In an effort to ease staff's concern regarding only four parking spaces at the rear, the applicant proposes to relinquish the curb cutouts at the front of the building to the City to resolve the issue of inadequate parking.

Reviewing the backup, COUNCILMAN WOLFSON noted that in 2007, both the City Council and the Planning Commission approved a very large building on the site, yet the applicant is planning to construct a smaller building. MR. MURDOCK stated that the revision is due to the economic decline.

MAYOR PRO TEM REESE stated that he visited the site and spoke to the neighbors, who expressed no concerns. He asked staff whether there was a condition that addressed the unused driveway cuts. BART ANDERSON, Public Works, replied that Condition 13 addresses the removal.

MAYOR PRO TEM REESE declared the Public Hearing closed.

